

REMARKS

The Office Action has been reviewed and the Examiner's comments carefully considered. Claims 1, 18, 20, 21 and 22 are amended. No claims are cancelled or added. Thus, claims 1-22 remain pending and are submitted for reconsideration.

Rejection based on Desprez

Claims 1-15 and 20-22 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,595,543 ("Desprez"). The rejection should be withdrawn because Desprez fails to disclose, teach or suggest the claimed invention.

For example, claim 1 (as amended) recites that "wherein the frame member includes an opening for the airbag such that the frame member does not deform when the airbag is being deployed; wherein a portion of the plate member is completely over the opening of the frame member such that the portion of the back surface over the opening is completely exposed to the airbag." Amended independent claims 20-22 include similar features. Desprez does not disclose or suggest these features. In particular, Desprez discloses a plate 30 between the airbag 9 and the plate member 4. (Fig. 1 of Desprez.) The plate 30 is part of the frame member 6 which deforms at the hinge 32 upon deployment of the airbag. Therefore, Desprez does not teach a frame member that does not deform when the airbag is deployed because the frame member 6 deforms at the hinge 32 upon deployment.

Claim 21 was rejected over Desprez even though the claim recites "the frame member is not integral with the plate member and includes an opening for the airbag so that when deploying, the airbag does not deform the frame member." The Final Office Action mailed May 19, 2006 states that the support member 6 of Desprez is the frame member (paragraph 2 of the Final Office Action), but also states that the frame member should be interpreted as the support member 6 excluding the hinge 32 (paragraph 6 of the Final Office Action). The interpretation of Desprez adapted by the Examiner is unreasonable because Desprez clearly states that the support member 6 is manufactured as a single piece (column 3, lines 7-11 of Desprez) and has a flange 22, walls 24, mounting openings 28, a plate 30, and a film hinge 32 (column 3, lines 12-25 of Desprez). The rejection is based on an interpretation of Desprez that considers an integral part of the support member 6 not to be actually part of the support member. Such an interpretation is illogical and unreasonable.

Thus, Desprez does not anticipate claims 1 and 20-22 and the rejection should be withdrawn.

Claims 2-15 depend from claim 1 and are allowable therewith for at least the reasons set forth above without regard to the further patentable limitations contained therein.

Favorable reconsideration of the rejection based on Desprez is respectfully requested.

Rejection based on Suzuki and Gardner

Claims 1 and 6-17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,601,870 (“Suzuki”) in view of U.S. Patent 6,753,057 (“Gardner”). This rejection should be withdrawn because any combination of Suzuki and Gardner fails to disclose, teach, or suggest the claimed invention.

For example, claim 1 recites “wherein the frame member includes an opening for the airbag such that the frame member does not deform when the airbag is being deployed; wherein a portion of the plate member is completely over the opening of the frame member such that the portion of the back surface over the opening is completely exposed to the airbag.” Suzuki does not teach that the portion of the back surface over the opening is completely exposed to the airbag because the movable brackets 27 prevent the plate member 12 over the opening from being completely exposed to the air bag. Gardner does not cure this deficiency. Thus, the teachings of Suzuki and Gardner do not render claim 1 unpatentable over the prior art and the rejection should be withdrawn.

Claims 6-17 depend from claim 1 and are allowable therewith for at least the reasons set forth above without regard to the further patentable limitations contained therein.

Favorable reconsideration of the rejection based on Suzuki and Gardner is respectfully requested.

Rejection based on Hagen and Gardner

Claims 1, 6, 13-14, and 18-19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,651,562 (“Hagen”) in view of Gardner. This rejection should be withdrawn because any combination of Hagen and Gardner fails to disclose, teach, or suggest the claimed invention.

For example, claim 1 recites “wherein the frame member includes an opening for the airbag such that the frame member does not deform when the airbag is being deployed;

wherein a portion of the plate member is completely over the opening of the frame member such that the portion of the back surface over the opening is completely exposed to the airbag.” Hagen does not teach that the portion of the back surface over the opening is completely exposed to the airbag because the film cover 52 and tether strap 90 prevent the plate member 62 over the opening from being completely exposed to the air bag 44. Gardner does not cure this deficiency. Thus, the teachings of Hagen and Gardner do not render claim 1 unpatentable over the prior art and the rejection should be withdrawn.

Claims 6, 13-14, and 18-19 depend from claim 1 and are allowable therewith for at least the reasons set forth above without regard to the further patentable limitations contained therein.

Favorable reconsideration of the rejection based on Suzuki and Gardner is respectfully requested.

Conclusion


It is believed that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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By 

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